

MUNICIPAL UTILITY BOARD REGULATIONS

AMENDED RULES AND REGULATIONS GOVERNING CONNECTIONS TO AND THE USE OF THE STURGIS WATER SYSTEM

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ARTICLE I - AUTHORITY AND PURPOSE

These rules and regulations are adopted by the Sturgis Municipal Utility Board and are declared to be necessary for the efficient, economic and safe operation of the Municipal Utility Water Treatment and Distribution System in the Sturgis area. They are intended to provide an adequate amount of potable water to the community through the regulation and control of connections to add the use of system and may be amended by the Municipal Utility Board pursuant to State and/or Federal Statutes or Drinking Water Standards.

SECTION 1.01 – Meetings

Pursuant to the authority granted to the Municipal Utility Board and SDCL 9-39-16, the Board shall meet at least once per month on the second Wednesday of the month at 8:00 am at the conference room in Sturgis City Hall. Any changes of the meeting dates and times shall be published in the official newspaper.

ARTICLE II - GENERAL PROVISIONS

SECTION 2.01- Application for Permit

Owners of property desirous of using water, either directly or indirectly, from the water distribution system, within or without the corporate limits of the City, shall make application or have a licensed Plumbing Contractor or licensed Pipe-Laying Contractor make application, in writing, to the Municipal Utility Board or their designated representative, said application to state name of owner, description of premises, the size of the tap, kind of service pipe to be used, and purpose for which it is to be used, and said application must be made at least two (2) days before the work is to be commenced. A Tap Permit will be granted, after the application for a new water service or distribution system has been approved by the Municipal Utility Board, or

the person or persons appointed to approve said application, and after payment of the fees pursuant to the TAP FEE SCHEDULE based on size of the water service line.

TAP FEE SCHEDULE

The tap fees include the tapping saddle, corp stop and meter and meter couplings. The Sturgis Water Department staff taps services up to and including 2" taps. Larger taps must be installed by the owners' contractor.

| SERVICE LINE SIZE | TOTAL |
|--------------------------|--------------|
| 3/4" | \$450.00 |
| 1" | \$550.00 |
| 1 1/2" | \$1300.00 |
| 2" | \$2500.00 |
| 3" | \$2750.00 |
| 4" | \$4000.00 |
| 6" | \$6500.00 |

In such cases where a larger than required service is installed for future expansion, the Water Superintendent may charge an amount equal to the required size plus \$100.00 and at the time of expansion, charge an additional amount to total the tap fee in accordance with the current tap fee schedule to cover the cost of the larger meter.

For any application for permit to replace an existing water service with the same size water service, there shall be a fee of \$50.00 charged. For any application for permit to replace an existing water service with a larger water service, there shall be a fee of \$50.00 plus the difference in cost of the two (2) different size services as enumerated above charged. All taps or connections to the City distribution system will be made by or under the direction of the Water Superintendent or other designated utility employee. No person shall be permitted to tap or make connections, either directly or indirectly, to the City's water distribution system except by permit.

The Municipal Utility Board may furnish water outside the City limits, if sufficient water is available, at a 50% higher rate in accordance with Article III, Section 3.01-Water Rates and Changes. The tap fee will also be at a rate 50% higher than taps within the City.

Any extensions or expansion to the City's water distribution system must be constructed within the public right-of-way. No water mains shall be constructed in any private easements without approval of the Municipal Utility Board.

Amended by Resolution dated Dec, 2008
Amended January 11, 1999
Revised January 8, 2002
Revised January 11, 2004
Revised June 21, 2005

SECTION 2.02 - Unlawful Connections

It shall be unlawful for any person to lay any water service line or introduce into or about any building or any grounds, any water lines, or do any plumbing work in any building or on any grounds for the purpose of connecting such pipes or plumbing, either directly or indirectly to the City water mains, or make any additions to or alterations of any water lines, water closet, stopcock or other fixtures or apparatus for the supply of any premises with water from the City water mains without first obtaining a permit to do such work. All water mains constructed within the corporate limits and all water mains constructed without the corporate limits which eventually are contemplated to become a part of the City water distribution system, must be laid according to detailed plans and specifications approved by the Municipal Utility Board and the South Dakota Department of Water and Natural Resources.

SECTION 2.03 - Service Line Connections

All work to be done in laying of the service line from the City water main into said premises and all labor connected therewith by the provisions of this Ordinance shall be done by or under the direction of a Plumbing Contractor or Pipe-Laying Contractor, licensed by the State of South Dakota and the City of Sturgis, who shall be employed and paid by the owner or consumer and who shall at the same time save the City harmless and indemnify said City against all accidents or damage to person or property arising from neglect in performance of the said work. All service lines to the City mains shall be laid and constructed by the property owner at no expense to the City.

SECTION 2.04 - Service Lines

All service lines from the corporation stop at the City main through the foundation and to the water meter shall be Type K soft copper tubing. Brass compression fitting must be used on copper tubing. If IPS Plastic Pipe is used, brass compression fittings with stainless steel inserts, 12 gage trace wire and trace wire box must be used. All joints and fittings used shall be constructed in such a manner as to prevent rupture by settling, contraction, or expansion. No couplings will be permitted between the corp stop and/or the curb stop unless approved the Water Superintendent.

The service line pipe size used from the City distribution line to the meter shall be determined in accordance with the Uniform Plumbing Code as adopted by the South Dakota State Plumbing Commission. Service line sizes in excess of those stipulated by this Section may be used only with the consent of the Municipal Utility Board or the Water Superintendent.

Other utilities will not be permitted in the same ditch as the water service lines or mains within the public right of way.

Temporary water services to undeveloped land will not be permitted without approval of the Municipal Utility Board.

All service lines, including private lines, must run parallel or at right angles to the street, if

practical.

Connections to Accessory Buildings: A 1" water line may be permitted from a dwelling to an accessory building provided the line is at least 6' deep and there is a curb stop installed to the accessory building. The accessory building can not be used for human habitation at any time. The line must be fed from the dwelling, after the meter. The line to the dwelling must be of sufficient size to supply water to all the fixtures including the accessory building.

SECTION 2.05 - Owner to Pay Costs

All costs and expenses incident to the installation and connection of the building service line shall be borne by the owner. The owner shall indemnify the City for any loss or damage that may directly or indirectly be occasioned by the installation of the building service line.

SECTION 2.06 - Curb Stops

There shall be a brass curb stop in each service line and the same shall be under the exclusive control of the Municipal Utility Board and Water Superintendent. Said curb stop is to be placed in the pipe within the public right-of-way and within three feet (3') of the owner's property line or within the sidewalk if in the public right-of-way and no person not a direct employee of the Municipal Utility Board or of the Water Superintendent shall open or close or otherwise interfere with said curb stop.

Such curb stop shall be provided with a telescoping box or tube of Minneapolis pattern and the top of each box or tube shall be placed on a level with the existing grade and no premises will be supplied without said box being in good order.

Curb stops up to and including one inch (1") shall be Mueller H15150 or approved equal. Curb stops for sizes over one inch (1") shall be 0" ring type such as Mueller Orissel valves. Curb stops shall not be the drain back type where water and sewer services are in the same ditch except where special permission shall be obtained. In all cases, the curb stop and box shall be placed within three feet (3') of the owner's property line or within the sidewalk line if in the public right-of-way, in such a manner that the top of the curb stop box shall be flush with the existing grade.

SECTION 2.06.5 - Building Valve

Each building's water service shall be provided with a readily accessible gate valve or other nonrestricting flow valve located inside the building near the point where the water service enters. This valve shall be a threaded type that is easily removed without soldering. Soldered type valves will not be permitted.

SECTION 2.07 - Water Meters

When any new water services are requested, the person or persons making such requests are to pay for the water meter at the time of request as part of the tap fee.

All service lines except those laid for fire purposes only, shall be supplied with a meter placed in a horizontal position safe from frost and other damage and accessible to examination. In case of breakage or stoppage of any meter, the consumer shall immediately give notice thereof to the Sturgis Water Department.

SECTION 2.08 - Backflow Prevention

The Water Superintendent shall require that a dual check valve for backflow prevention be installed in accordance with South Dakota State Plumbing Code Section 20:54:10:52 in any new plumbing system or any system existing prior to the adoption of these Rules and Regulation if any remodeling or changes are made to the same.

SECTION 2.09 - Separate Taps

A separate and independent water tap shall be required for every building except as permitted in Section 2.04.

SECTION 2.10 - Distinct Premises

Existing service lines supplying two (2) or more separate buildings or two (2) or more separate businesses within the same building or in separate buildings must be constructed to provide an independent water tap with a separate corporation stop and curb stop box for each building or business at the time any changes are made to the same.

SECTION 2.11 - Replacing Service Line or Repair of Service Line

The expense of replacing or repairing a service line is the responsibility of the owner. The act of disconnecting such abandoned service shall be performed at the time the new service is installed or within thirty (30) days thereafter and in the presence of an authorized Water Department employee.

In case of a leak in any private service line, the property owner must initiate the repair of said service line within five (5) days after notice to repair the same, said notice given by an authorized employee of the Water Department and if no action is taken to repair said service line after said notification by the said Water Department employee, the Water Department, at its option, may hire a contractor to repair the line or perform repairs at current market rates.

SECTION 2.12 - Expenses of Repairs

Persons taking water from the distribution mains must keep their service lines and fixtures connected therewith in good repair and protected from frost at their own expense and must prevent all unnecessary waste, or the water will be turned off. No abatement shall be allowed from the prices charged or agreed upon by reason of the breaking of the service line or corporation stop, and no claim shall be made against the Municipal Utility Board, the City or any of its officers, by reason of the breaking; nor will the City, its Municipal Utility Board or the Superintendent of said Sturgis Water Department be responsible for the damage growing out of

the stoppage of said water or any insufficient supply of the same or as to quantity or quality of the water. All persons using the water from said Sturgis Water Department for whatever purpose shall use the same at their own risk. The property owner or owners shall be responsible for their service line including maintenance and expenses of repairs from the main to the structure.

SECTION 2.13 - Excavations

All excavations required for the installation of a building service line shall be open trench work unless otherwise approved by the MUB or its authorized representative. Pipe laying and back-filling shall be performed in accordance with Municipal Utility Board specifications and City Ordinances, except that no backfill shall be placed until the work has been inspected.

SECTION 2.14 - Guarding Excavation

All excavation for building service shall be adequately guarded with barricades and lights as to protect the public from hazard. All guard barricades and lights shall be furnished and installed by the Contractor. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored as per City specifications. All excavation within the public right-of-way, streets or alleys shall require the owner to obtain a digging permit prior to excavation operations.

SECTION 2.15 - Notice to Inspector

Any plumber or person doing work under the provisions of this regulation shall, when work is prepared for inspection as provided in this regulation, notify the Municipal Utility Board or its authorized representative that such inspection is requested, giving the location of the premises and the time such work will be ready for inspection. The Sturgis Water Department employee shall inspect such work within the same day the inspection is requested, if said request is made before 12:00 noon of that day.

SECTION 2.16 - Access to Consumer's Premises

The City shall be given permission to enter the water user's premises at all reasonable times for the purpose of reading meters, inspecting and keeping them in repair, and/or installing or removing any or all of its apparatus used in connection with the supply of water or for the following reasons:

- a) To make necessary or desirable repairs, or because of leaks, alterations or extensions;
- b) For non-payment of any bills;
- c) For failure to provide proper security when requested to do so;
- d) For fraudulent use of the water;
- e) For misrepresentation in the application to the City for water service;
- f) When the water user has vacated the premises;
- g) For tampering with the City's meter or meter connections, or to safeguard the City's property from damage or further damage;
- h) For reasons of health and/or safety;

- i) During the periods of water shortage;
- j) For the purpose of securing compliance with orders issued by civil or military authority;
- k) For any violation of law or contract;
- l) For annual inspection of water meter;

If the water user fails to allow admittance of the Sturgis Water Department employee for the purpose of reading the meter or any other above stated reason, water service may be discontinued. The Municipal Utility Board of Sturgis will cause to be installed a remote reader on every water users service in order that Water Department employees will not have to enter the premises for the purpose of reading the meter.

Revised February 13, 1995

SECTION 2.17 - Inspection and Turning on Water

After the service line and curb stop have been installed, the Municipal Utility Board or its authorized representative shall inspect the exposed line and turn on the corporation stop. Any adjustments that may be required shall be made by the installer. If all joints are not exposed for inspection, a pressure test of 150 psi for two hours will be conducted by the installer and verified by Sturgis Water Department employees.

The curb stop shall not be turned on except for testing purposes until the meter has been installed and work inspected by the Water Superintendent or his authorized representative and deemed satisfactory and in conformance with all rules. Only authorized Water Department employees shall operate the curb stop.

SECTION 2.18 - Responsibility of Contractor

Adequate bond shall be furnished by all licensed plumbers so that workmanship and materials can be guaranteed for two (2) years.

If a leak should develop in a new water service line within two (2) years of its installation, the plumber installing the same shall be notified by the Water Superintendent to make the repair within five (5) days, unless the leak is so extensive to require the service line to be shut off, in which case the contractor must respond within 24 hours after notification. If the repairs are not made by the specified date, the Municipal Utility Board shall make the necessary repairs or cause the same to be done and the original contractor shall be billed the costs of labor, material, fifteen percent (15%) overhead and a \$50.00 administrative fee.

Revised February 12, 2002

SECTION 2.19 – Abandonment of Service

In the case any water service line should have to be abandoned, the owner of the water service to be abandoned shall properly excavate and expose the old service line and disconnect the line at the water main within thirty (30) days after the water service has been abandoned. If the service line being abandoned is supplying two (2) or more distinct premises, the person no longer needing the service will be responsible to excavate and properly disconnect and backfill their

portion of the service line at the point determined by the MUB or his duly authorized agent. There shall be no back filling of the trench at the point which the water service has been turned off, until the point of disconnect has been inspected by the Water Superintendent or his duly authorized agent.

SECTION 2.20 - Discontinuation

Any person desiring to discontinue using water must notify the Water Superintendent or his authorized designee to that effect. Charges will be prorated to the disconnect date.

Revised June 21, 2005

SECTION 2.21 - Repairing and Cleaning Mains

The Municipal Utility Board reserved the right at any time to shut off the water on the main pipe for the purpose of repairing the same, making connections or extensions to the same, or for the purpose of cleaning the same, and it is expressly understood that no claim shall be made against the City by reason of the breaking of the service line, curb stop, or from any damage arising from shutting off the supply of water for the repairing, laying or replacing mains, or for hydrants, or other connections or from any damage arising from the cleaning of the mains. The MUB or its designee may give such reasonable notice as shall be practical.

SECTION 2.22 - Water for Fire Purposes

Whenever proprietors of lumber yards, manufacturing, halls, stores, hotels or public buildings (regular customers from the waterworks) wish to lay larger pipe with hydrants and hose couplings, to be used only in case of fire, they will be permitted to connect with the street main at their own expense upon application for a permit to the Water Superintendent and under the direction of the Municipal Utility Board will be allowed the use of water for fire purposes only, free of charge. Such pipes must be provided with a suitable valve which must be sealed by the Water Superintendent or his authorized representative and stopcock and waste cock attached to the bottom or inside of the building. In case the seal is broken for the extinguishment of fire, the party shall immediately give notice to the Water Superintendent. No stand pipe or water tank will be allowed on the premises for any use other than fire purposes.

SECTION 2.23 - Use of Hose During Fire

Whenever there is an alarm of fire, the use of any hydrant fire hose for any purpose is positively prohibited except in the immediate vicinity of the fire or on the premises of the fire or on premises in danger of ignition.

SECTION 2.24 - Taking Water from or Meddling with Public Hydrants

No person shall unscrew or take off any cap on any water hydrant, or in any way meddle or interfere with such hydrant, or take or carry away any water from any public hydrant, except the Water Superintendent or authorized agents and the Chief of the Sturgis Volunteer Fire Department or authorized agents when in the line of duty, without permission of the Water Superintendent or his designee.

SECTION 2.25 - Restricting Use

The Municipal Utility Board reserves the right at any time to restrict the use of said water.

SECTION 2.26 - Impurities

No person shall cast or throw, or suffer to be cast or thrown, any impure or unwholesome substance into any drinking fountain or any appurtenance of the Sturgis Water System.

Revised February 12, 2002

SECTION 2.27 - Yard Fountains

No person shall use any yard fountain, which is directly connected to a plumbing system, except by special permission of the Water Superintendent and then only between April 1 and November 1. All service pipes of yard fountains must be provided with curb stops under Municipal Utility Board control and be metered. The Municipal Utility Board may suspend the use of water for fountains and sprinkling whenever, in its opinion, public necessity may require it.

Revised 5, 2008

SECTION 2.28 – Water Main Extension – Application For

Any owner or owners of real estate in the City of Sturgis desiring to have the water mains of said City extended to their respective property, shall be required to make written application to the Municipal Utility Board or to the water Superintendent, which application shall set forth the area to be served and the length of the proposed water main extension and such other information as may be required by the Municipal Utility Board or the Water Superintendent or the South Dakota Department of Water and Natural Resources. Each applicant for such water main extension shall, as part of such application, be required to pay for the cost of such water main extension, including all labor and materials except as outlined below.

The Municipal Utility Board will pay for material costs of constructing a main from the closest source of City water to the property line of the developer within the discretion of the Municipal Utility Board up to a maximum contribution by the Municipal Utility Board in an amount as benefits the City as determined by the Board, on the condition that the developer provide and pay for the acquiring of all easements and rights of way and for the installation of the water main for the Municipal Utility Board and further that the main be installed at the direction and supervision of the Water Superintendent or other designee of the Water Department and that the main be at proper level at finished grade.

If a water main larger than eight inches (8”) in diameter is required for such water main extension, the Municipal Utility Board shall pay the difference in the cost of construction over and above the cost of the eight inch (8”) water main.

The developer shall furnish fire hydrants with valve and valve box, gasket and bolts, to make a fire hydrant installation. The make and model of the fire hydrant shall be approved by the MUB

or its designee. The contractor shall excavate and backfill for the hydrant, line, dry well and support block, and install the same at no cost to the Municipal Utility Board. The contractor shall install one (1) cubic yard of properly graded gravel or crushed gravel or crushed stone to serve as a dry well for the fire hydrant.

The Developer shall furnish all water main shut off valves, valve boxes, thrust blocks, tees and all other necessary fittings as required by the Municipal Utility Board at no cost to the Municipal Utility Board. A 14 gauge solid copper insulated wire shall be installed, for location purposes, with all mains and services and properly terminated in valve boxes and fire hydrants at a location wire terminal box.

Any extension to the Sturgis Water System shall be looped lines with no dead end mains permitted without prior approval from the Municipal Utility Board.

The Municipal Utility Board shall require hydrants at approved dead end mains and shall be installed by the developer/contractor according to Municipal Utility Board specifications.

All such applications shall be submitted to the Municipal Utility Board for approval, together with the recommendations of the Water Superintendent at the regular meeting following the filing of such application with the Water Superintendent. The Municipal Utility Board shall determine the size of the water main that is to be used in such water main extension on the basis of the estimated future water requirements of the area to be served by such water main extension.

SECTION 2.29 - Engineering Fees

Any person or persons making such application shall agree as a part of such application to pay the Municipal Utility Board a fee or charge for engineering approval and inspection of such proposed water main into the water system according to a price schedule determined at the start of the construction season. The initial charge at the date of the adoption of these Rules and Regulations shall be on the basis of \$.30 per lineal foot. The payment of such charge or fee is to be made upon approval of said application and before said connection is made.

SECTION 2.30 - Interconnection and Extension by the City

Whenever it is desirable or necessary in the judgment of the Municipal Utility Board to interconnect existing segments or extensions of the water system, and no application for such interconnection or extension has been made to the Water Superintendent, the Municipal Utility Board may order and authorize such interconnection and extension of the existing water mains and the Municipal Utility Board shall be reimbursed for such interconnection and extension, including all labor and materials, as provided in Section 2.28 of this regulation, by the adjacent property owners, by each of said property owner paying his/her proportionate share of said cost at the time he/she makes application to use and connect to said interconnection and extension.

SECTION 2.31 - Water Main Installation

Plans and specification for each water main extension project shall be submitted to the Municipal Utility Board and South Dakota Department of Water and Natural Resources for approval. In

general, the installation procedure shall conform to the standards established by the American Water Works Association.

Pressure and leakage tests shall be made by the Contractor on all new water main extensions. The mains shall be tested at 150 psi for two (2) hours. Allowable leakage per 1000 feet of six inch (6") pipe is 0.50 gallons per hour.

Chlorination of the water mains shall conform to the AWWA Standard for Disinfecting Water Mains. Chlorination material shall provide a dosage of no less than 50 parts per million. The retention time shall be at least 24 hours and shall produce not less than 25 parts per million of chlorine at the end of the retention period.

No water main less than six inches (6") in diameter shall be installed. Water mains shall be installed with a minimum of six feet (6') of cover.

SECTION 2.32 - Fluoridation of Water

The Municipal Utility Board for the City of Sturgis, South Dakota, is hereby authorized and directed to provide the means and to proceed with the introduction of approximately nine tenths (0.9) to one and seven-tenths (1 .7) to maintain optimum of one and two-tenths (1 .2) parts of fluoride-ion to every million parts of water being distributed in the water supply system of the City of Sturgis, South Dakota.

Revised February 12, 2002

SECTION 2.33 - Damages

No person shall uncover or maliciously, willfully or negligently break, damage, destroy, deface or tamper with any structure appurtenance or equipment which is part of the municipal water system.

SECTION 2.34 - Private Water Systems

No private water systems except those operating at the time of the adoption of this regulation, as amended, shall be permitted within the city limits of Sturgis or within 1 mile thereof.

ARTICLE III - WATER RATES

SECTION 3.01 - Water Rates and Charges

All water sold or furnished by the Municipal Utility Board shall be paid by the owner, operator or occupant of the premises served at the following rates:

- a) There shall be a minimum demand charge of ten dollars (\$10.00) per month. In addition, each account will be charged \$2.00 per thousand gallons metered.

b) The owner or operator of apartments or multiple family dwellings shall pay a minimum demand charge of ten dollars (\$10.00) per month for each apartment or separate living quarters located in said apartment or multiple family dwelling. In addition, each account will be charged \$2.00 per thousand gallons metered.

c) The owner or operator of a business or multiple businesses within a structure shall pay ten dollars (\$10.00) per month for each business. In addition, each account will be charged two dollars (\$2.00) per thousand gallons metered.

d) The owner or operator of a mobile home park shall pay a minimum demand charge of ten dollars (\$10.00) per month for each mobile home located in the mobile home park. In addition, each mobile home will be charged \$2.00 per thousand gallons metered.

e) The owner or operator of commercial or institutional properties shall be served at the following rates, based upon size of domestic waterlines:

| | | |
|-----------|------------|---------|
| ¾" and 1" | 1 minimum | \$10.00 |
| 1 ¼" | 2 minimums | \$20.00 |
| 1 ½" | 3 minimums | \$30.00 |
| 2" | 4 minimums | \$40.00 |
| 3" | 6 minimums | \$60.00 |
| 4" | 8 minimums | \$80.00 |

In addition, each account will be charged \$2.00 per thousand gallons metered.

Commercial or Institutional Users for the purpose of this section means an individual or group of individuals operating together who have a principal operating purpose and usually, but not always, is operated for profit. The institutional users shall include schools, City, county, and State buildings.

*Exemption Clause: Church properties used exclusively for church services would be billed one (1) minimum per building.

f) All water sold or furnished by the Municipal Utility Board to other departments of the City of Sturgis shall be served by the following rates:

There shall be a minimum demand charge of ten dollars (\$10.00) per month. In addition, each account will be charged \$2.00 per thousand gallons metered up to and including one hundred thousand (100,000) gallons per month. For all water used in excess of one hundred thousand (100,000) gallons, there shall be a charge of .75 cents per thousand gallons.

g) All water sold or furnished by the Municipal Utility Board to customers which do not reside in the city limits of Sturgis shall be served at the following rates. There shall be a minimum demand charge of fifteen dollars (\$15.00) per month. In addition, each account will be charged \$3.00 per thousand gallons metered.

SECTION 3.02 - Billing Upon Estimate

If the Municipal Utility Board is unable to obtain access to premises or dwellings at the time of meter reading, an estimated bill will be issued, based upon the last meter reading.

The proper adjustment will be made when the meter reading is obtained. In no case will any bill be estimated more than one (1) month consecutively unless the meter is in a manhole which cannot be opened due to inclement weather. If any meter reading is not obtained at the end of any such two (2) month period, the water will be turned off ten (10) days after notice in writing has been mailed to the last known address of the person charged for water use, or by leaving notice by door card at the address of the consumer account that such water service will be shut off within forty-eight (48) hours until such meter reading is obtained, and the water shall not be turned on again until a reconnect charge is paid for turning water off and on in accordance with the following schedule: 8:00 a.m. - 5:00 p.m. Monday-Friday, \$15.00; after 5:00 p.m. Monday - Friday, \$100.00; and Saturday, Sunday and holidays - \$100.00.

SECTION 3.03 – Credit Requirement of Water User

The Municipal Utility Board shall have the right at any time to require the water user to make a reasonable water user deposit fee or to give a reasonably safe guarantee to secure payment of its bills for water service, conforming with the laws of the State of South Dakota. The minimum deposit required for residential property owners will be fifty and no/100 (\$50.00) dollars; for renters one hundred dollars and no/100 (\$100.00) unless the renter can furnish a letter of good credit from a like utility, then in that case, a fifty and no/100 (\$50.00) dollars charge will be made; for business, commercial and institutional users, sixty and no/100 (\$60.00) dollars. A larger deposit up to an amount equal to two (2) months minimum service fees for the account being serviced may be required by the Water Superintendent in cases where an account shows poor payment history. An extension may be given, and if payment is not made timely, no further extension will be allowed for twenty four (24) months.

All water user deposit fees shall be placed in a Water User Deposit Trust Fund and said deposits shall be returned to the user at the termination of the service after the user has paid any unpaid water bills, including a final bill. The deposits shall be returned by check once each month, on or about the 15th of the month.

All interest earned by the Water User Deposit Trust Fund shall be transferred to the Water System Operation Fund.

Any time an existing water service has been turned on at the request of a water user or transferred to another water user, or at any time water service has been turned off and on at the request of the water user, there shall be a service charge required and that charge shall be deposited in the Water Operation Fund. That charge will be in accordance with the following scheduled: 8:00 a.m. – 5:00 p.m. Monday – Friday \$15.00; after hours: \$100.00. In case of an emergency the charge for turning water off and on at the request of the water user shall be \$15.00 during the working hours and \$100.00 after hours. On shut off day after 8:30 am a fee of

\$66.00 for non-payment shall be assessed.

SECTION 3.04 – Bills and Payments

All meters will be read monthly and all water bills will be due and payable on the 15th day of each month, and if not paid on or before the 15th day of each month, it shall become delinquent, and the customer shall be given notice on the following month's bill that said account is delinquent and if not paid by the 15th of the next month, the Sturgis Water Department shall then forthwith discontinue service to such account. When service has been discontinued, no water shall be turned on again until all water bills in arrears have been paid. All water users whose bills are delinquent shall be subject to a finance charge on the unpaid balance of said delinquent account of four percent (4%) per month with a minimum finance charge of fifty cents (\$.50) per month. All political subdivisions and governmental entities shall be exempt from late water charges on their water bills. A finance charge shall be a part of the water bill and the water user account will not be deemed paid in full until the finance charges are paid in full along with the water bill itself. All water users whose bills are delinquent will be subject to a charge to reconnect a water service disconnect for non-payment of the bill. This charge shall be in accordance with the following schedule: 8:00 a.m. – 5:00 p.m. Monday – Friday \$30.00; after hours \$100.00.

SECTION 3.05 - Water Receipts Deposited in Water Acct Fund

All funds belonging to the City and derived from revenues arising from the operation of the Sturgis Water Department shall be deposited in a water fund account and be used for no other purpose than to defray the expense of operating the Sturgis Water Department including necessary capital expenditures, and for payment of bonds issued to purchase or improve the water work.

SECTION 3.06 - Critical Water Condition

During a critical water condition or shortage as determined by the Municipal Utility Board, the water user shall use water only for those purposes specified by the Municipal Utility Board. Disregard for this rule shall be sufficient cause for refusal or discontinuance of service.

SECTION 3.07- Daytime Watering Restrictions

In an effort to conserve water during the summer months, the Municipal Utility Board requests that lawn sprinkling devices not be used from 9:00 a.m. to 5:00 p.m. between June 15th and September 15th. Handheld water devices will be permitted during these hours.

SECTION 3.08 - City of Sturgis and Hydrants

The City of Sturgis and all other public corporations shall pay at the same rate as private consumers for water consumed in public buildings, which sum is found and determined to be a reasonable charge for the use and availability of water service for fire protection and maintenance of streets, parks and other public places.

ARTICLE IV - ADMINISTRATION

SECTION 4.1 - Enforcement

The Water Superintendent shall administer and enforce these Rules and Regulations except that no proceedings for the imposition of a penalty and cost recovery due to violations shall be instituted without prior approval of the Municipal Utility Board.

SECTION 4.2 - Information

The Water Superintendent shall prescribe the form and detail of all applications, permits and reports required by these Rules and Regulations; may determine the frequency of such items except where a frequency is specified, and may provide interpretations or determine the application of these Rules and Regulations where their meaning or application is requested.

SECTION 4.3 - Responsibility

The Water Superintendent may delegate to his employees the responsibility for administering under his supervision, any part of these Rules and Regulations where such delegation is deemed to be in the best interest of the Municipal Utility Board and the City.

SECTION 4.4 – Sewer User and Garbage User Fee Enforcement

The Municipal Utility Board will enforce the collection of the sewer use fee and garbage use fee ordinances by having the water service disconnected as provided for in the ordinances pertaining thereto, and acts amendatory to said ordinances. A fee will be required to reconnect the water service, according to the following schedule: 8:00 a.m. – 5:00 p.m. Monday – Friday \$30.00; after hours \$100.00.

ARTICLE V - EFFECTIVE DATE AND SEVERABILITY

SECTION 5.1 - Effective Date

These Rules and Regulations shall become effective thirty (30) days after publication by the Municipal Utility Board.

SECTION 5.2 - Severability

If the provisions of any Article, Sections, Paragraph or Sentence of these Rules and Regulations shall for any reason be held to be unconstitutional or invalid by any Court of competent jurisdiction, the provisions of the remaining Articles, Sections, Paragraphs and Sentences shall nevertheless continue to be in full force and effect.

SECTION 5.3 - Date of Adoption

Approved and adopted by resolution of the Sturgis Municipal Utility Board published May 21, 2005.

ARTICLE VI - PENALTIES

Any person who shall violate any of the Rules and Regulations contained in these chapters, except those sections wherein a specific penalty has been stated, shall, upon conviction thereof, in addition to having the water service discontinued, be subject to a fine of not more than two hundred and no/100 (\$200.00) dollars, or imprisonment for a period of not more than thirty (30) days, or both such fine and imprisonment, at the discretion of the Court.

Any plumber or other person who shall violate the above provisions other than those for which penalties have been provided, shall upon conviction thereof, be fined in a sum of not more than two hundred and no/100 (\$200.00) dollars, and the City Council may revoke the license of such plumber.

Revised February 12, 2002